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08-23-04
EV 464566457
14W/

RE: Our File: FINETEX 3.0-04 Serial Patent No.: 10/757,008

Applicant: WALELE

Group Art Unit: 1625

Filed: 01/14/04

Examiner: KTL05

For: NOVEL ESTERS OF MONOMETHYL ALCOHOLS AND PROCESS FOR PREPARING AND USING SAME IN COSMETICS AND PERSONAL CARE PRODUCTS
Enclosed for filing in the U.S. Patent and Trademark Office are:
() Utility/Design/Provisional/Patent Application

(X) Law Firm Transmittal Letter + COPY	() Response/Amendment
() Letter-Official Draftsman	() Affidavit/Declaration
() Preliminary Amendment	() Petition TRANSMITTAL OF
() Notice of Appeal/Motion/Brief	(X) Information Disclosure Statement + COPY
(X) Assignment/Cover Sheet	() Small Entity Statement
() TABS _____ to _____	() Issue Fee/Maint. Fee
() Certificate of Correction	() Sworn Translation
(X) Check No. <u>6819</u> - \$ <u>180.00</u>	(X) Postcard acknowledging receipt of the above identified material
Drawings _____ sheets -	() Application Cover Sheet
Formal/Informal	(X) <u>COPIES OF REFS. CITED IN IDS</u>
() _____	(X) <u>FORM PTO-AR20 (INF. DISCL. CITATION)</u>
() _____	

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional fees or any other charges related to this matter to the deposit account of the writer, No. 23-0812. A duplicate copy of this letter is enclosed.

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10

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EV 464566457

AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

SIGNED: Edward R. Weingram

DATED: 8/20/04

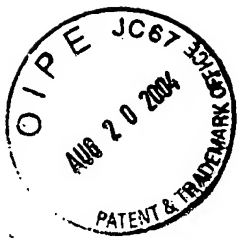
Respectfully submitted,

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Enclosures
LETTERW\PTOEXPRS1.ERW

EV 464566457



Practitioner's Docket No. FINETEX 3.0-047 **PATENT**
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ISMAIL I. WALELE

Application No: 010/ 757,008 Group No.: 1625

Filed: 01/14/2004

Examiner: Paul Killos

For: NOVEL ESTERS OF MONOMETHYL BRANCHED ALCOHOLS AND PROCESS
 FOR PREPARING AND USING SAME IN COSMETICS AND PERSONAL CARE PRODUCTS

Assistant Commissioner for Patents
 Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
 BEFORE MAILING DATE OF EITHER A FINAL ACTION
 OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

NOTE: 37 C.F.R. 1.97: "(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

- (1) The statement specified in paragraph (e) of this section; or
- (2) The fee set forth in § 1.17(p)."

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
 Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

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☐ facsimile transmitted to the Patent and Trademark Office, (703)

Date: 8/20/04

Signature

Edward R. Weingram

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 1 of 3)

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NOTE: "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, if the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. § 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

WARNING: No extension of time can be had under 37 C.F.R. 1.136 (a) or (b) for filing an IDS. 37 C.F.R. 1.97(f).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,
 whichever occurs first.

STATEMENT OR FEE

2. Accompanying this transmittal is

(check either A or B below)

- A. ☐ a statement as specified in 37 C.F.R. § 1.97(e).

OR

- B. ☒ the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$240.00). 180.00

FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$240.00).

Fee due \$ 180.00

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 2 of 3)

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METHOD OF PAYMENT OF FEE

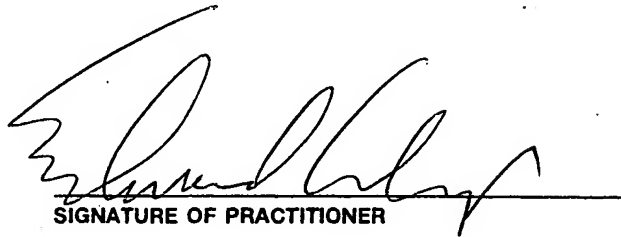
4.

- ☒ Attached is a ☒ check ☐ money order in the amount of \$180.00
- ☐ Authorization is hereby made to charge the amount of \$ _____
- ☐ to Deposit Account No. _____
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should *not* be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment ~~in the~~ ~~name authorized above~~ to Deposit Account No. 23-0812

A duplicate of this paper is attached.



SIGNATURE OF PRACTITIONER

Reg. No. 24,493

Edward R. Weingram
(type or print name of practitioner)

Tel. No.: (201) 843-6300

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P.O. Address P.O. BOX 927
MAYWOOD, N.J. 07607

Customer No.: 28885



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INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY DOCKET NO.

FINETEX 3.0-047

SERIAL NO.

10/757,008

ISMAIL I. WALELE

FILING

01/14/04

GROUP

1625

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,783,173	07/21/98	BONDA ET AL.			
	5,788,954	08/04/98	BONDA ET AL.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		TECHNICAL DATA SHEET FOR FINSOLV [®] BOD, INCI NAME: OCTYL DODECYL BENZOATE, BY FINETEX, INC. dated April 2000 (4/00).
		PATENT Application Publication Pub. No. US2004/0076654 A1 published April 22, 2004

AMINER

DATE CONSIDERED

AMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.